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**JUN 12 2006**

**OFFICE OF PETITIONS**

CNH AMERICA LLC  
INTELLECTUAL PROPERTY LAW DEPARTMENT  
700 STATE STREET  
RACINE, WI 53404

In re Application of :  
Horn : DECISION ON PETITION  
Application No. 10/731,303 :  
Filed: December 9, 2003 :  
Dkt. No.: 17368 191094.00014 :

This is a decision on the petition under 37 C.F.R. § 1.137(b), filed May 18, 2006, to revive the above-identified application.

The petition is **GRANTED**.

This application became abandoned February 15, 2006 for failure to timely reply to the Notice of Allowance (Notice) mailed November 14, 2005. The Notice set a three month statutory period of time for reply. Notice of Abandonment was mailed March 28, 2006.

A grantable petition pursuant to 37 C.F.R. § 1.137(b) must be accompanied by: (1) the required reply to the outstanding Office action or notice, unless previously filed; (2) the petition fee as set forth in 37 C.F.R. § 1.17(m); (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 C.F.R. § 1.137(b) was unintentional; and (4) any terminal disclaimer (and fee set forth in 37 C.F.R. § 1.20(d)) required pursuant to 37 C.F.R. § 1.137(c).

The instant petition has been reviewed and found in compliance with the provisions of 37 C.F.R. § 1.137(b). Accordingly, the failure to timely submit a proper reply to the Notice is accepted as having been unintentionally delayed.

This application will be forwarded to the Office of Patent Publication further processing.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3205.

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Office of Petitions